

November 16, 2007

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Ravalli County Commissioners

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Ravalli County Commission
Jim Rokosch, Chairman
Alan Thompson, Member
Greg Chilcott, Member
Kathleen Driscoll, Member
Carlotta Grandstaff, Member
215 S 4th St, Suite A
Hamilton MT 59840

Re: Your email of 11/13/07. Please copy for each commissioner.

Dear Ravalli County Commissioners:

This is in regards to your email to me of November 13, 2007:

Dear Ms. Erickson;

The Ravalli County Commissioners at this time, request further information regarding WRAP proclamation submitted. We request statistics to corroborate the "Whereas" statements within the proclamation. You may resubmit the proclamation once basis is found for the Commissioners consideration. If you have any questions, please feel free to contact me.

Thank you,

Beth Perkins

Secretary

Ravalli County Commissioners Office

406-375-6504

406-375-6507 fax

I will list some statistics that support the Whereas statements in the proposed proclamation against pornography. Some of it does take a little commons sense, however.

The Whereas #1:

The 1986 Attorney General's Commission had testimony from all walks of life. Here is testimony of Andrea Dworkin:

PART 4: CHAPTER 1

Final Report on the Attorney General's Commission on Pornography

[WARNING - EXPLICIT]

Victimization

Introduction

Women, men, and children who believe they have been harmed by pornography described adverse physical and psychological effects in their public testimony before the Commission and other bodies and in accounts given in writing or in interviews by Commission staff. The Commission heard testimony from thirty witnesses who reported that they or others with whom they had special relationships had been harmed in some manner by or as a result of pornography. More than one hundred persons were interviewed by Commission staff investigators, who were law enforcement personnel with considerable experience in dealing with trauma victims. Although in many instances, facts related by the person interviewed could be verified by reference to treatment records, court records, or law enforcement files, in other instances no independent verification was possible. In addition to the foregoing, a number of other statements were received in letters from persons who reported pornography-related victimization and in exhibits filed by witnesses from hearings before other fact finders, including city councils, courts of record, and the United States Senate. Some of these individuals reported an extensive series of traumatic events in their lives, making it difficult to assess the relationship, if any, between pornography and their suffering.

Witnesses attributed to pornography their having been coerced into pornographic performances, bound and beaten in direct imitation of pornography, and forcibly imprisoned for the purpose of manufacturing pornography. Although this Commission can neither conclusively determine that pornography caused these physical harms nor conclusively determine that it did not, it was the opinion of the witnesses that pornography played a central role in the pattern of abuse within which they were harmed.

Witnesses attributed many different kinds of damage to psychological functioning and sense of self to their having been used in the production of pornographic materials, exposed to pornographic materials, or sexually assaulted by offenders who used pornography as part of the abuse. Many of these psychological injuries correspond to the signs and symptoms of post-traumatic stress disorder.[762] Witnesses also attributed to pornography financial losses due to hospitalization and therapy, damage to family relationships and status in the community caused by defamatory representations in pornography, associations between prostitution and pornography, and sexual harassment through pornography. Many of the women, men, and children who testified reported each of these types of consequences, and some individuals are quoted repeatedly in various sections of this chapter.

Although we have tried in this chapter to allow victims to speak in their own words, without interpretation or commentary, we have in several instances quoted the words of victim's mothers, friends, or therapists. We have done so only because there are instances in which the victims themselves were unavailable for testimony. In the same vein, we quote here pertinent excerpts from the eloquent testimony of Andrea Dworkin on behalf of other victims whose voices were not heard:

"My name is Andrea Dworkin. I am a citizen of the United States, and in this country where I live, every year millions of pictures are being made of women with our legs spread. We are called beaver, we are called pussy, our genitals are tied up, they are pasted, makeup is put on them to make them pop out of a page at a male viewer. Millions and millions of pictures are made of us in postures of submission and sexual access so that our vaginas are exposed for penetration, our anuses are exposed for penetration, our throats are used as if they are genitals for penetration. In this country where I live as a citizen real rapes are on film and are being sold in the marketplace. And the major motif of pornography as a form of entertainment is that women are raped and violated and humiliated until we discover that we like it and at that point we ask for more.

In this country where I live as a citizen, women are penetrated by animals and objects for public entertainment, women are urinated on and defecated on, women and girls are used interchangeably so that grown women are made up to look like five- or six-year-old children surrounded by toys, presented in mainstream pornographic publications for anal penetration. There are magazines in which adult women are presented with their pubic areas shaved so that they resemble children.

In this country where I live, there is a trafficking in pornography that exploits mentally and physically disabled women, women who are maimed; there is amputee pornography, a trade in women who have been maimed in that way, as if that is a sexual fetish for men. In this country where I live, there is a trade in racism as a form of sexual pleasure, so that the plantation is presented as a form of sexual gratification for the black woman slave who asks please to be abused, please to be raped, please to be hurt. Black skin is presented as if it is a female genital, and all the violence and the abuse and the humiliation that is in general directed against female genitals is directed against the black skin of women in pornography.

Asian women in this country where I live are tied from trees and hung from ceilings and hung from doorways as a form of public entertainment. There is a concentration camp pornography in this country where I live, where the concentration camp and the atrocities that occurred there are presented as existing for the sexual pleasure of the victim, of the woman, who orgasms to the real abuses that occurred, not very long ago in history.

In the country where I live as a citizen, there is a pornography of the humiliation of women where every single way of humiliating a human being is taken to be a form of sexual pleasure for the viewer and for the victim; where women are covered in filth, including feces, including mud, including paint, including blood, including semen; where women are tortured for the sexual pleasure of those who watch and those who do the torture, where women are murdered for the sexual pleasure of murdering women, and this material exists because it is fun, because it is entertainment, because it is a form of pleasure, and there are those who say it is a form of freedom.

Certainly it is freedom for those who do it. Certainly it is freedom for those who use it as entertainment, but we are also asked to believe that it is freedom for those to whom it is done.

Then this entertainment is taken, and it is used on other women, women who aren't in the pornography, to force those women into prostitution, to make them imitate the acts in the pornography. The women in the pornography, sixty-five to seventy percent of them we believe are victims of incest or child sexual abuse. They are poor women; they are not women who have opportunities in this society. They are frequently runaways who are picked up by pimps and exploited. They are frequently raped, the rapes are filmed, they are kept in prostitution by blackmail. The pornography is used on prostitutes by johns who are expected to replicate the sexual acts in the pornography, no matter how damaging it is.

Pornography is used in rape-to plan it, to execute it, to choreograph it, to engender the excitement to commit the act. Pornography is used in gang rape against women. We see an increase since the release of "Deep Throat" in throat rape-where women show up in emergency rooms because men believe they can penetrate, deep-thrust, to the bottom of a woman's throat. We see increasing use of all elements of pornography in battery, which is the most commonly committed violent crime in this country, including the rape of women by animals, including maiming, including heavy bondage, including outright torture.

We have seen in the last eight years, an increase in the use of cameras in rapes. And those rapes are filmed and then they are put on the marketplace and they are protected speech-they are real rapes. We see pornography in the harassment of women on jobs, especially in nontraditional jobs, in the harassment of women in education, to create terror and compliance in the home, which as you know is the most dangerous place for women in this society, where more violence is committed against women than anywhere else. We see pornography used to create harassment of women and children in neighborhoods that are saturated with pornography, where people come from other parts of the city and then prey on the populations of people who live in those neighborhoods, and that increases physical attack and verbal assault.

We see pornography having introduced a profit motive into rape. We see that filmed rapes are protected speech. We see the centrality of pornography in serial murders. There are snuff films. We see boys imitating pornography.

We see the average age of rapists going down. We are beginning to see gang rapes in elementary schools committed by elementary school age boys imitating pornography. We see sexual assault after death where frequently the pornography is the motive for the murder because the man believes that he will get a particular kind of sexual pleasure having sex with a woman after she is dead.

We see a major trade in women, we see the torture of women as a form of entertainment, and we see women also suffering the injury of objectification-that is to say we are dehumanized. We are treated as if we are subhuman, and that is a precondition for violence against us.

I live in a country where if you film any act of humiliation or torture, and if the victim is a woman, the film is both entertainment and it is protected speech. Now that tells me something about what it means to be a woman citizen in this country, and the meaning of being second-class.

When your rape is entertainment, your worthlessness is absolute. You have reached the nadir of social worthlessness. The civil impact of pornography on women is staggering. It keeps us socially silent, it keeps us socially compliant, it keeps us afraid in neighborhoods; and it creates a vast hopelessness for women, a vast despair. One lives inside a nightmare of sexual abuse that is both actual and potential, and you have the great joy of knowing that your nightmare is someone else's freedom and someone else's fun.

The first thing I am going to ask you to do is listen to women who want to talk to you about what has happened to them. Please listen to them. They know, they know how this works It has happened to them.

I am also asking you to acknowledge the international reality of this-this is a human rights issue-for a very personal reason, which is that my grandparents came here, Jews fleeing from Russia, Jews fleeing from Hungary. Those who did not come to this country were all killed, either in pogroms or by the Nazis. They came here for me. I live here, and I live in a country where women are tortured as a form of public entertainment and for profit, and that torture is upheld as a state-protected right. Now, that is unbearable.

I am asking you to help the exploited, not the exploiters. You have a tremendous opportunity here. I am asking you as individuals to have the courage, because I think it's what you will need, to actually be willing yourselves to go and cut that woman down and untie her hands and take the gag out of her mouth, and to do something, for her freedom.[763]" (emphasis added)

Whereas # 2

When you have material that illustrates that women like to be used and abused do you really need statistics to prove this?

Here is what Dr. Michael Scolatti said in testimony before the Montana legislature: (See Attached letter from Michael Scolatti addressed to Bruce Crippen and dated January 2, 1995, and attached statement from Jerry L. Nordstrom, L.C.S.W., P.C.).

Whereas # 3

See same material at # 1 & 2

When we lived in Libby we attempted on several occasions to get the County Commissioners to pass a county law on obscenity. They almost laughed at us even after all the towns in the county passed such a law either by petition or by a vote of the councils. A couple of years after approaching them a 10 year old little boy disappeared. Three days later they found the little boy's body near a creek that runs through the town. He had been murdered and then sexually molested by a man who is still in prison and whose mother said he had started reading Playboy magazine at

an early age. He had started using hard core pornography later. (You will find that a vast majority of all the serial killers in America were heavy users of pornography).

The County Commission then reversed themselves and passed an obscenity law. It was not the law we recommended and it had to be changed back to what we had recommended later but they did act.

Whereas # 4

President John Adams Oct 11, 1798 (He should know)

"[W]e have no government armed with power capable of contending with human passions unbridled by morality and religion. Avarice, ambition, revenge, or gallantry, would break the strongest cords of our Constitution as a whale goes through a net. Our Constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other."

Whereas # 5

See reply for #1 above. (Would be willing to take you into the local obscenity store Bitterroot Video or into one of the stores in Missoula to show you the nature of the material that the courts consider obscene)

Sexually transmitted diseases (STDs) remain a major public health challenge in the United States. While substantial progress has been made in preventing, diagnosing, and treating certain STDs in recent years, CDC estimates that 19 million new infections occur each year, almost half of them among young people ages 15 to 24.¹ In addition to the physical and psychological consequences of STDs, these diseases also exact a tremendous economic toll. Direct medical costs associated with STDs in the United States are estimated at up to \$14.1 billion annually. (<http://www.cdc.gov/std/stats/trends2005.htm>)

- ❶ One in five people in the United States has an STD.
- ❷ Two-thirds of all STDs occur in people 25 years of age or younger.
- ❸ One in four new STD infections occur in teenagers.
- ❹ Cervical cancer in women is linked to HPV.
- ❺ Hepatitis B is 100 times more infectious than HIV.
- ❻ STDs, other than HIV, cost about \$8 billion each year to diagnose and treat ASHA is a trusted partner with the Centers for Disease Control and Prevention and operates the national AIDS, STD and Immunization Hotlines.
- ❼ One in five Americans have genital herpes, yet 90 percent of those with herpes are unaware they have it.
- ❽ At least one in four Americans will contract an STD at some point in their lives.
- ❾ HPV and Chlamydia are the most common STDs in the United States.
- ❿ More than 5 million people are infected with HPV each year.
- ⓫ Less than half of adults ages 18 to 44 have ever been tested for an STD other than HIV / AIDS.
- ⓬ At least 15 percent of all infertile American women are infertile because of tubal damage caused by pelvic inflammatory disease (PID), the result of an untreated STD.
- ⓭ Two-thirds of Hepatitis B (HBV) infections are transmitted sexually, HBV is linked to chronic liver disease, including cirrhosis and liver cancer. <http://www.coolnurse.com/std2.htm>

A news release in the last couple of days indicated an increase in the numbers of people contracting Chlamydia greater than ever in history.

Whereas # 6

"One report stated that in 2001-02, Florida received 3,614 calls reporting child-on-child sexual incidents where the perpetrator was younger than 13.

A 1988 Michigan crime report stated that 681 juveniles, who averaged 14 years old, were convicted of sexual assault on children averaging 7 years old.

Jan Hindman, M.S., founder of the Hindman Foundation in Baker, Ore., has worked with both the victims of sexual abuse and their offenders for more than 30 years. She worked with James M. Peters, J.D., the assistant United States attorney in Boise, Idaho, on a study where they interviewed sexual offenders and then asked them the same questions with the help of a polygraph.

The study took place from 1978 to 1994 and was designed to better understand adult and juvenile sex offenders.

The findings of the study may explain why there are so many juvenile sex offenders, mainly because that's how most adult sexual offenders start.

In the 1994-1999 study, adult offenders were asked how many people they had victimized, had they been sexually abused as a child and did they sexually abuse other children when they were juveniles

Average number of victims reported:

Before polygraph testing, the average number of victims reported was 2.9. After a polygraph test was implemented, the number grew to 11.6 average.

Percent reporting being sexually abused as a child:

Pre-polygraph, 61 percent of the offenders said they had been abused, but post-polygraph the number dropped to 30 percent.

Percent reporting sexually abusing others as a child:

In the pre-polygraph stage 27 percent of sex offenders tested said they had abused other children when they were a child, but once on the polygraph, the number rose to 76 percent.

This study shows that approximately one-third of adult sex offenders started as juvenile sexual offenders and continued on into adulthood.

The age of offenders appears to be getting younger and therapists say that children today are far more knowledgeable about sex than even 10 years ago.

Ariz agrees, "Children learn a lot of things today from television and movies. I have been working here for six years and children today know a lot more than they did just six years ago."
<http://maderatribune.1871dev.com/news/newsview.asp?c=144450>

Whereas # 7

My husband was in law enforcement in Washington and Lincoln County Montana for several years. He arrested several molesters and without exception they all used soft-core pornography to break down the inhibitions of children so they would allow their molestation. That type of material is a powerful teacher and it makes the children believe that everyone does it.

Sheriff Hoffman has stated to Dallas that he sees that situation all the time in Ravalli County and so do his deputies.

"EFFECTS ON CHILDREN"

"I find in my clinical practice a spill-over effect where pornography used by adults very frequently gets into the hands of children living in the home or neighborhood. This can cause extremely negative consequences.

For example, the parents of a 14-year-old boy brought their son to me when they discovered that he was sexually molesting his sister. We found on investigation that cable TV was in the home, and late at night on one of the channels, there were some very graphic, rough, very violent depictions of sexuality. He got up at two in the morning, went downstairs, and watched these films night after night. They became the training manual or "sex education" that triggered him to assault his sister sexually." See the rest of his study of the effects of pornography on adults and children at: <http://moralityinmedia.org/> See the rest of his study of the effects of pornography on adults and children at: By Victor B. Cline, Ph.D., Licensed Clinical Psychologist, Salt Lake City, Utah.

Whereas # 8

Source cited.

Whereas # 9

"This year there is a clear message for parents of 12- to 17-year olds: make sure you are aware of the dating practices of your child and get to know your child's friends. Those dating practices can signal an increased risk that your child may be smoking, drinking, getting drunk or using illegal drugs. The level of sexual activity among your child's friends is another indicator of increased risk. What the 2004 survey reveals is this: the thunder of teen dating practices and sexual activity may signal the lightening of substance abuse. We know from other research that alcohol and drugs are sexual disinhibitors and that most teen pregnancy occurs when either or both parties are high at the time of conception.

The survey reveals that 28 percent of 12-year olds have sexually active friends, as do 79 percent of 17-year olds. A third of teens have boyfriends and girlfriends, and many of them spend more than 10 hours a week together. A third of 12- to 17-year olds have a computer in their room, 45 percent have friends who regularly use the Internet to view or download pornography, and 61 percent of 17-year olds have friends who do so."

(<http://www.casacolumbia.org/absolutenm/templates/ChairmanStatements.aspx?articleid=369&zoid=31>)

Whereas # 10

The law today:

"To equate the free and robust exchange of ideas and political debate with the commercial exploitation of obscene material demeans the grand conception of the First Amendment and its high purposes in the historic struggle for freedom. It is a misuse of the great guarantees of free speech and free press. We do not see the harsh hand of censorship of ideas, good or bad, sound or unsound, and repression of political liberty lurking in every state regulation of the commercial exploitation of the human interests in sex."

"This much has been categorically settled by the Court, that obscene material is unprotected by the First Amendment." (U.S. Supreme Court, *Miller v California*, 1973)

Whereas # 11

<http://www.moralityinmedia.org/nolc/index.htm?statutesIndex.htm>

This site lists the states that have and do not have obscenity laws. It is not exactly accurate because Montana is listed without an obscenity law but in reality only has a law to protect children from such material. That is true of some of the other states listed with/without a law also.

95.8% OF U.S. POPULATION LIVES IN STATES HAVING MILLER - TYPE STATE OBSCENITY LAW PROSCRIBING OBSCENITY TO ADULTS.

The population of those States having a state obscenity law which follows the Miller v California three pronged obscenity test and proscribes the dissemination of obscenity to adults is 238,203,000. The population of the States without such a law is 10,042,000. This means that 95.8% of the U.S. population lives in states having a Miller - type state obscenity law proscribing the dissemination of obscenity to adults. To look at it from another perspective, there are approximately 24 times as many people living in States where the dissemination of obscenity to adults is proscribed by a Miller - type state law than in states without such a law.

Further, four of the states without a Miller-type state law (Montana being one of the four) authorize municipalities to adopt obscenity laws proscribing obscenity to adults. The States authorizing such local regulation of obscenity make up 2.2% of the U.S. population. This means that only 2% of the population of the United States lives in States where there are no Miller-type state or local laws proscribing obscenity to adults.

(From OBSCENITY LAW BULLETIN, VOL. 13, No. 6, December 1989, published by NATIONAL OBSCENITY LAW CENTER, suite 239, 475 Riverside Drive, New York, N.Y. 10115)

You can look up the Federal Obscenity law on the internet.

Whereas # 12

MORE THAN THREE OUT OF FOUR ADULTS SUPPORT THE U.S. JUSTICE DEPARTMENT'S CRACKDOWN ON ILLEGAL OBSCENITY

NEW YORK (November 15, 2005) - More than three out of four (77%) adult Americans support the Justice Department's effort to enforce federal obscenity laws, according to results of a survey conducted by Harris Interactive for Morality in Media November 4 to 7. Fewer than one in five (19%) of U.S. adults oppose new enforcement efforts. The question asked and overall breakdown of responses are as follows:

"The Supreme Court has held that obscene material is not protected by the First Amendment and that obscenity laws can be enforced against commercial distributors of hardcore pornography. During the past decade, hardcore pornographic videotapes and DVDs, films on pay TV channels, and Internet websites have proliferated. Soon, cell phones that combine voice with pictures will make it even easier to access hardcore pornography. Recently, the Justice Department established a task force to prosecute obscenity crimes, and the FBI recruited additional agents to investigate these crimes. Do you support or oppose this new effort to enforce federal obscenity laws?"

* 77% Total Support

* 19% Total Oppose

* 62% Strongly support

* 14% Somewhat support

* 8% Somewhat oppose

* 11% Strongly Oppose

* 4% Not sure/No opinion

* --% Refused (volunteered)

The results come from Harris Interactive's National Quorum™, a bi-weekly omnibus survey conducted among adults living in the contiguous United States. The survey was conducted among 1,005 adults 18 years of age or older and is representative of the U.S. population. The survey has a margin of error of 3.1 percentage points at the 95% confidence level.

There was strong support across all demographic groups examined for increase enforcement, with at least 59% in each of the 102 groups examined. “

Also see Attached article.

I hope in your deliberations on this request you will consider these statistics but also use your own judgement about what obscene materials do. Remember the Attorney General's Commission on Pornography were united in their decision that Obscenity and even “soft-core” pornography has a causal relationship to sexual crimes. Montana’s rape rate increases every year and in the opinion of many it is partly because they have no laws to control obscenity or to regulate sexually oriented businesses.

Commissioner Driscoll, I understand that you made a statement that you were afraid that my husband “forced me to watch and view pornography” and that you worried about me. That is an outlandish statement and shows a low regard of me and Dallas at the same time. We fully recognized the danger of pornography and obscenity. We have been involved with the victims, both with our over 20 foster children and in our work across Montana in helping people to protect their homes and families, children and marriages from this destructive material.

I hope that you will think this through and soon decide to sign this proclamation. Do the right thing for our community.

I would ask for an opportunity to meet with you about that and would appreciate being put on the agenda.

Thank you.

Regards,



Jenny L. Erickson.

(Proposed)

Ravalli County Commission Proclamation

WHEREAS, pornography degrades and dehumanizes both female and male participants; and

WHEREAS, pornography presents youth with a false and distorted image of human sexuality, devoid of love, commitment, and responsibility; and

WHEREAS, pornography leads both children and adults into destructive sexual addictions that tear families apart and destroy careers; and

WHEREAS, the strength of our nation depends on the generational stability and moral order found and nurtured in families; and

WHEREAS, pornography features and promotes rape and other anti-social behaviors in an era of increasing sexual violence and an epidemic of sexually transmitted disease; and

WHEREAS, children are increasingly molesting other children in imitation of what they have seen in pornography; and

WHEREAS, so-called "adult" pornography is commonly used by pedophiles to desensitize children and break down their resistance to sexual acts; and

WHEREAS, according to a study conducted by the Crimes Against Children's Resource Center, the percentage of Internet users ages 10-17 who were exposed to unwanted pornography in the previous year increased from 25% in 2000 to 34% in 2005; and

WHEREAS, according to a survey conducted in 2004 by the National Center on Addiction and Substance Abuse, 45% of teens have friends who regularly view and download pornography from the Internet; and

WHEREAS, the United States Supreme Court has ruled that obscenity is not protected speech under the First Amendment; and

WHEREAS, Federal and State obscenity laws have been enacted against hardcore pornography to protect public safety, public health, and public morality; and

WHEREAS, a poll conducted by Harris Interactive in November 2005 found that 77% of adult Americans surveyed supported the Justice Department's crackdown on obscene materials,

NOW THEREFORE We, _____, do hereby proclaim October 28 through November 9, 2008, as WHITE RIBBON® AGAINST PORNOGRAPHY YEAR in Ravalli County Montana and call upon all citizens of said County to wear or display white ribbons as a sign of their commitment to standards of public morality and their support for passage and enforcement of laws against obscenity

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There was strong support across all demographic groups examined for increase enforcement, with at least 59% in each of the 102 groups examined.

Robert W. Peters, President of Morality in Media, commented:

"Those who defend hardcore pornography, whether in court or in the court of public opinion, point to the proliferation of this vile material as 'proof' either that everyone is viewing it or that people no longer deem hardcore pornography unacceptable. The porn defenders overlook at least three factors.

"First, much if not most hardcore pornography is consumed by a relatively small percentage of males who are addicted to it. Second, just because a person experiments with hardcore pornography does not mean he or she has become a devotee of it, especially when pornographers promote their products relentlessly and by deceptive means. Third, just because a person views some hardcore pornography does not mean he or she finds all of it acceptable or thinks more of it would be a good thing.

"Defenders of hardcore pornography also say the Justice Department efforts to curb the sale of obscene materials is a waste of resources. They overlook the reality that the floodtide of hardcore pornography pouring into our communities and homes is adversely impacting society in various ways, including:

- Contributing to teen promiscuity
- Contributing to the breakup of marriages
- Contributing to sex crimes against adults and children
- Contributing to on-the-job sexual harassment
- Contributing to the spread of sexually transmitted diseases, including AIDS
- Contributing to the coffers of organized crime
- Contributing to a tarnished "anything immoral goes" national image.

"They also overlook the fact that when obscenity laws are effectively enforced, the resulting fines and forfeitures will

offset most if not all of the cost of enforcement."

Headquartered in New York City, MORALITY IN MEDIA works through constitutional means to curb traffic in illegal obscenity. MIM operates the www.obscenitycrimes.org website, where citizens can report possible violations of federal Internet obscenity laws, and the National Obscenity Law Center, a resource for prosecutors, law enforcement agencies and legislators.

[Support Morality in Media, Inc.'s Work to Fight Obscenity](#)

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Site developed by L'AMb Artistic Enterprises, Inc. and maintained by Rob Walsh

Statement of MICHAEL J. SCOLATTI, Ph. D.
From Affidavit Filed on May 7, 1998
In Montana Twenty-First Judicial District Court, Ravalli County

**Video Software Dealers Association,
The Ravalli Republic, Jessie Dalbey,
John Demme, Dale Johnson, Russell
Lawrence, Ruth Thorning and Jon Jackson
Plaintiffs,**

v.

**County of Ravalli
Defendant**

Michael J. Scolatti, being first duly sworn says;

1. I am Michael J. Scolatti and I am a Licensed Clinical Psychologist in private practice at 619 S.W. Higgins, Suite N, Missoula, Montana (406) 549-4870. I specialize in the assessment and treatment of sexual offenders and victims of sexual abuse. I developed the Sex Offender Treatment Program used to treat sexual offenders at the Montana State Prison. In addition, I have served as a consultant to the National Corrections Association, the Missoula Police Department, Missoula Youth Homes, Missoula and Ravalli County Youth Courts and the Missoula school district. I am a member of the Association for the Treatment of Sexual Abusers, the Montana Sex Offender Treatment Association and Division 41: Psychology and the Law of the American Psychological Association. I have been working in this area for the last 18 years and I have lectured on the subject throughout the United State and Canada. I have evaluated and treated well over 500 adult and adolescent sexual offenders.

2. In my experience approximately 75% of the sexual offenders I have worked with in my out patient program have used some type of pornographic and/or obscene material on a regular basis. In addition, approximately 15 to 20 percent have indicated they are "addicted" to pornography or obscenity. For the most part, the sex offenders use pornography and obscenity to stimulate their sexual appetite, unfortunately their outlet for their sexuality could be a child and their use of pornography and obscenity is often a "trigger" that will set an offender's cycle of abuse into motion.

3. In studies other than my own professional experience the most consistent finding is that violent pornography and obscenity involving sadomasochist themes was significantly related to sexual crimes, especially rape. A 1984 study by Baron and Strauss found a significant correlation between consumption of pornography (in this case soft-core) and incidence of reported rape using cases reported in all 50 states. In this study it was found that the incidence of rape increased by 7 per 100,000 population, for an increase of 1 standard deviation in pornographic magazine consumption. A finding closer to my work with sex offenders indicates that 46% of rapists, 59% of homosexual pedophiles and 50% of heterosexual pedophiles reported a desire to

own some pornography or obscenity while only 29% of the non-offending men in a control group reported a similar desire (Goldstein et al., 1974). Of those men reporting a desire to own pornography or obscenity, 100% of the rapists, 80% of the homosexual pedophiles and 83% of the heterosexual pedophiles actually owned some type of pornographic or obscene material. Only 50% of the non-offending men in the control group actually owned some type of these materials.

4. In the course of my work I have confiscated, or offenders have brought to me their collections of pornography and obscenity. This material ranges the gamut from bestiality to sadomasochistic activities. One offender dropped off 17 different magazines all with women who had shaved their pubic areas. This man was not in my program for having sex with partners his own age who shaved themselves, he had sexually molested 15 girls between the ages of four and eight. He compulsively used the pictures of "shaved" women in the magazines to fulfill his fantasies of sex with children between episodes of abuse. I could recount ten to twenty similar stories of how offenders use pornographic and obscene material to increase their deviant arousal, however I feel the preceding example is characteristic of the use of these materials by sex offenders.

5. For sexual offenders pornography and obscenity serves to disinhibit their judgement and morals, as one offender and user of these materials told me, "I thought all men and women had sex like that, but it sure didn't work on my girlfriend." While this statement may seem incredibly naive or stupid it is not an uncommon sentiment among the men and teenage boys I work with. These men and boys isolate themselves, pornography and obscenity often become their substitute for real relationships and their template for human sexuality. These materials have an even more pernicious effect in the way men and boys view women. Women are often viewed by consumers of these materials as a commodity, an object, a piece of meat. As one offender graphically explained, "women ain't nothing but a life support system for a pussy." Pornography and obscenity directly promotes, contributes to and feeds this type of attitude. Nude dancing has the same effect. Given the voyeuristic quality of nude dancing and its similarities to viewing pornographic and obscene materials I feel it is logical to assume the data regarding pornographic and obscene material can be extrapolated to nude dancing. Interestingly, approximately 80% of all nude dancers have been victims of childhood sexual abuse.

6. In conclusion, public nude exhibitions, dissemination and use of obscenity, and minors viewing harmful materials of a prurient sexual nature with no literary, scientific, artistic or political value have no positive or socially redeeming values and only contribute to the demeaning and degrading of women and children, can trigger cycles of abuse, destroy healthy and appropriate sexual relations between men and women and harm family relations in general. These activities depersonalize and dehumanize women, men and that act of making love and reduce human sexuality to a mechanical and sometimes abusive activity, entirely devoid of caring, nurturance and love which should be the centerpiece of male-female relationships. The health, welfare and protection of our citizens, families and communities are a compelling interest of our government and laws and are greatly served by the prohibition of such activities.

Further your affiant sayeth naught.

Signed: Michael J. Scolatti, Ph. D.

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Judith L. Starr, Ed.D., L.C.P.C.

Jim Bryngelson, Ed.D., L.C.P.C.

February 11, 1997

TO: MONTANA SENATE AND JUDICIAL COMMITTEES

FROM: JERRY L. NORDSTROM, L.C.S.W., P.C.

SUBJECT: THE PSYCHOLOGICAL AND EMOTIONAL EFFECT OF EXPLICIT SEXUAL MATERIAL ON CHILDREN

I have been a psychotherapist working with children and their families for the past twenty-four years. I have seen children exposed to almost every kind of neglect and abuse situation imaginable. One of the most insidious is what happens to a child who is exposed to explicit sexual material or conduct. We call it being "sexualized."

One of the most precious gifts that we as human beings have been given is our sexuality. Another is our innocence. Although we are all sexual beings from birth, there is a period of innocence that should not be disturbed. When it is disturbed the emotional and psychological growth is disturbed as well. Once there is sexual knowledge no matter what age it becomes part of the individual's thoughts and actions.

The normal sexual curiosity that most children experience is eclipsed by far in those children who are exposed to explicit sexual material. They begin far too early to experiment with what they have learned. Let me present just a couple of brief case histories to illustrate what and how it happens.

Case #1:

The parents had thought their X-rated videos were hidden. The children found them and watched (3 kids). This lead to inviting 3 other children to watch and then try some of the sexual practices they saw. All of these children were between six and nine years of age. One six-year-old girl had an object inserted into her vagina. All of the kids took turns "humping" each other.

Case #2:

An older brother (17) was left to baby sit two younger siblings (9- and 11-year-old boys). A friend of the 17-year-old brought an X-rated video to the home. They proceeded to watch the video with the two youngsters present but swore them not to tell. They didn't tell the parents but related all the details to many friends at school on Monday. Eventually the word got to a teacher and then back to the parents. These children needed to be in counseling because of this encounter.

TO: MONTANA SENATE AND JUDICIAL COMMITTEES February 11, 1997
FROM: JERRY L. NORDSTROM, L.C.S.W., P.C. Page 2 of 2
SUBJECT: THE PSYCHOLOGICAL AND EMOTIONAL EFFECT OF EXPLICIT SEXUAL MATERIAL ON CHILDREN

Case #3:

A single parent alcoholic mother of two children (girl six and boy nine) had material showing sexual positions and practices. After it was found by her children they invited two other children (girl six and boy eight) to see the material. They had a "humping party" and also experimented with oral sex on each other.

Once exposed to explicit sexual practices a child becomes "sexualized" and will never be able to return to an age of innocence. Once the knowledge is there, the next step is use. Once use is begun without mature understanding and discretion, it turns to abuse.

The issue is not so much of one of personal freedom as we hear so often as it is of protection. Don't our children deserve our protection? If we are to error, let it be on the side of the children.

JLN/dg

SABER

SEXUALLY ABUSIVE BEHAVIOR:
EVALUATION AND RECOVERY

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MISSOULA, MONTANA 59803
(406) 549-4870

January 2, 1995

Mr. Bruce Crippen
Senate Judiciary Committee
Capitol Station
Helena, Montana 59624

RE: HB83 OBSCENITY BILL

Dear Mr. Crippen:

by way of introduction, my name is Michael Scolatti and I am a Licensed Clinical Psychologist, in private practice. For the past fifteen years I have worked with sex offenders and victims of sexual abuse. Over the past 10 years I have specialized in the assessment and treatment of sexual offenders and victims of sexual abuse. In reviewing the statistics of these past 15 years I have evaluated 1013 adults with sexual offending or sexually compulsive behaviors and approximately 200 adolescents and prepubescent children.

In addition to my private practice I am a consultant to the National Institute of Corrections, the Missoula Police Department, the Missoula County Sheriff's Department, the Missoula Fire Department, Missoula Youth Homes, Missoula and Ravalli County Youth Courts, Missoula School Districts and the Missoula Big Brothers and Sisters Program. I am a member of the Association for the Treatment of Sexual Abusers, the Montana Sex Offender Treatment Association, and Division 41: Psychology and the Law of the American Psychological Association. I hope I am not boring you with my credentials, I really wanted to address the committee in person, but my wife and I are expecting our fifth child any day (a girl) and my wife becomes extremely anxious when I tell her I am leaving the city. In the interest of domestic tranquility I opted to write to you.

I want to emphasize that my comments regarding pornography are related to the effects I have seen in my clinical practice with sex offenders and some of the research in this area. In regards to research the most consistent finding is that violent pornography involving sadomasochistic themes is significantly related to sexual crimes, especially rape. A 1984 study by Baron and Strauss found a significant correlation between the consumption of pornography (in this case soft core) and the incidence of reported rape using the 50 U.S. states as cases. In this study it was found that the incidence of rape increased by 7 per 100,000 population for an increase in pornographic magazine consumption.

A finding closer to my work with sex offenders indicates that 46% of rapists, 59% of homosexual pedophiles and 50 of heterosexual pedophiles reported a desire to own some pornography while only 29% of the non-offending men in a control group reported a similar desire (Goldstein et al, 1974). Of those men reporting a desire to own pornography, 100% of the rapists, 80% of the homosexual pedophiles and 83% of the heterosexual pedophiles actually owned some type of pornographic material. Only half of the non offending men in the control group actually owned some type of pornography. Therefore, the men in the sex offender groups were about three times more likely to own pornography than non-offending men. Rapists and child molesters gravitate toward material which will

Mr. Bruce Crippen
Senate Judiciary Committee
page 2.

sexually arouse them, making them more likely to act out in some sexual manner.

In my experience, approximately 75% of the sexual offenders I have worked with have used some type of pornographic material on a regular basis. In addition, approximately 15 to 20 percent have indicated they are "addicted" to pornography. For the most part, sex offenders use pornography to stimulate their sexual appetites, unfortunately their outlets for sexual expression could be their child, or someone else's child, daughter, or wife.

In the course of my work I have confiscated, or offenders have brought to me their collections of pornography. This material ranges the gamut from bestiality to sadomasochistic activities. One offender dropped off 17 different magazines all with women who had shaved their pubic areas. This man was not in my program for having sex with partners his own age who shaved themselves, he had sexually molested 15 girls between the ages of four and eight. He compulsively used the pictures of "shaved" women in the magazines to fulfill his fantasies of sex with children in between episodes of abuse. I could recount ten to twenty similar stories of how offenders use pornographic material to increase their deviant arousal, however I feel the preceding example is characteristic of the use of pornography by sex offenders.

For sexual offenders pornography serves to disinhibit their judgement and morals, as one offender told me, "I thought all men and women had sex like that, but it sure didn't work with my girlfriend." While this statement may seem incredibly naive or stupid it is not an uncommon sentiment among the men and teenage boys I work with. These men and boys isolate themselves, pornography often becomes their substitute for real relationships and their template for human sexuality.

What does pornography do for a sex offender? Besides the obvious answer of sexual arousal, pornography has a much more pernicious effect. Pornography objectifies, depersonalizes and dehumanizes women, men and the act of making love. It reduces people and human sexuality to a mechanical, "wham-bam-thank-you-mam" activity, devoid of caring, nurturance and love which should be the centerpiece of male-female relationships. Pornography allows a sex offender to view women as a commodity, an object, a piece of meat. As one offender graphically explained, "women ain't nothing but a life support system for a pussy". Pornography directly promotes, contributes, and feeds this type of attitude.

In conclusion I respectfully ask that you and your fellow committed member vote in favor of HB83 to help in the fight against sexually offending, and in the battle against the objectification of women and human sexuality.

Thank you for your valuable time and consideration.

Sincerely



Michael J. Scolatti, Ph.D.
Clinical Psychologist